

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 21, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Commissioners Absent: Deb Schorr, Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, February 14, 2006.**

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting held on February 14, 2006. Hudkins, Stevens and Workman voted aye. Heier abstained from voting. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, February 21, 2006.**

MOTION: Heier moved and Hudkins seconded approval of all claims processed through February 21, 2006. Workman, Hudkins, Heier and Stevens voted aye. Motion carried.

3) **NEW BUSINESS:**

- A. An application for a Special Events Permit from Great Plains Bicycling Club to hold the Spring Fling Metric Century Bike Tour on Saturday, April 22, 2006, beginning at 9 a.m..**

Steven Clements, Treasurer of Great Plains Bicycling Club, appeared and gave a brief overview of the bicycle tour, noting they have no objections to any conditions outlined by the Sheriff or the County Engineer.

MOTION: Stevens moved and Heier seconded approval of an application for a Special Events Permit from Great Plains Bicycling Club to hold the Spring Fling Metric Century Bike Tour on Saturday, April 22, 2006, beginning at 9 a.m. pending the receipt of a current certificate of insurance.

Clements noted he does have a current certificate of insurance and submitted it to the Clerk.

ROLL CALL: Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

- B. A resolution in the matter of approving the form of the Health Insurance Portability and Accountability Act (HIPAA) Notice of Privacy Practices used in connection with the Lancaster County Group Health Plan No. 4643. (R-06-0008)**

MOTION: Stevens moved and Hudkins seconded approval of Resolution 06-0008 in the matter of approving the form of the Health Insurance Portability and Accountability Act (HIPAA) Notice of Privacy Practices used in connection with the Lancaster County Group Health Plan No. 4643. Workman, Stevens, Hudkins and Heier voted aye. Motion carried.

- C. A grant contract with the City of Lincoln, on behalf of the Lincoln Police Department, to provide funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic violence and dating violence, including assistance to such victims in immigration matters, in the amount of \$59,878. Term of the grant contract is January 1, 2006 to December 31, 2006. (C-06-0050)**

3) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Hudkins seconded approval of a grant contract with the City of Lincoln, on behalf of the Lincoln Police Department, to provide funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic violence and dating violence, including assistance to such victims in immigration matters, in the amount of \$59,878. Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

D. A grant contract with the Hispanic Community Center to provide funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic abuse and dating violence, in the amount of \$44,063. Term of the grant contract is January 1, 2006 to December 31, 2006. (C-06-0051)

MOTION: Stevens moved and Heier seconded approval of a grant contract with the Hispanic Community Center to provide funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic abuse and dating violence, in the amount of \$44,063. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

E. A contract with Brandt Excavating, in the amount of \$136,407.19, for erosion control at various box culverts and bridges within Lancaster County; Project 06-25. The work will begin on March 27, 2006 and be completed by September 1, 2006. (C-06-0052)

MOTION: Heier moved and Stevens seconded approval of a contract with Brandt Excavating, in the amount of \$136,407.19, for erosion control at various box culverts and bridges within Lancaster County; Project 06-25. Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

3) **NEW BUSINESS CONTINUED:**

F. A grant contract with Lutheran Family Services of Nebraska, Inc. for a part-time job retention case manager for the Heartland Refugee Resettlement program, in the amount of \$25,000. Term of the grant contract is December 1, 2005 through November 30, 2006. (C-06-0053)

MOTION: Stevens moved and Hudkins seconded approval of a grant contract with Lutheran Family Services of Nebraska, Inc. for a part-time job retention case manager for the Heartland Refugee Resettlement program, in the amount of \$25,000. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

G. Harvest Project contract with the Lincoln Area Agency on Aging (LAAA) for the provision of mental health, substance abuse and aging services to elderly residents of Lancaster County. LAAA will provide Specialized Care Managers to work 40 hours per week to assist in the provision of the services. The County will pay \$50,000 for the services. Term of the contract is July 1, 2005 and ends June 30, 2006. (C-06-0054)

MOTION: Heier moved and Hudkins seconded approval of a Harvest Project contract with the Lincoln Area Agency on Aging (LAAA) for the provision of mental health, substance abuse and aging services to elderly residents of Lancaster County. Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

H. An agreement between Lancaster County and CenterPointe for the services of a program director and a case manager for the Partners in Empowerment and Recovery (PIER) program. Term of the agreement is July 1, 2005 through June 30, 2006. CenterPointe will pay the County \$137,834.50 for the services. (C-06-0055)

MOTION: Stevens moved and Hudkins seconded approval of an agreement between Lancaster County and CenterPointe for the services of a program director and a case manager for the Partners in Empowerment and Recovery (PIER) program.

3) **NEW BUSINESS CONTINUED:**

Heier stated he would like to make sure that it's understood if the fees exceed the contract price, the State would reimburse the County for those costs. He also addressed concerns regarding the Program Director and Case Manager positions should the contract lapse or there not be appropriate reimbursement.

FRIENDLY AMENDMENT: Heier offered a friendly amendment specifying that there be no cost to the County and that the positions of Program Director and Case Manager, employed by the County, terminate should the contract lapse or appropriate reimbursement fails.

Both the maker of the motion and the seconder agreed to the friendly amendment.

ROLL CALL: Heier, Stevens, Hudkins and Workman voted aye. Motion carried.

- I. **An interlocal agreement between Lancaster County and the City of Lincoln for the adoption of right-of-way and construction standards for unimproved county roads located with the three-mile zoning jurisdiction of the City of Lincoln classified as rural principal arterial, rural minor arterial, rural major collector and rural minor collector in the Lincoln-Lancaster County Comprehensive Plan. The agreement will commence upon execution by both parties and remain in effect until such time as it is terminated. The County will pay the cost of right-of-way and easement acquisition, and design and construction costs for grading the road to its full width, installing urban culverts and rural paving. (C-06-0060)**

Don Thomas, County Engineer, explained they would be building a new type of roadway which will blend easier when the City annexes County roads. He also indicated that the contract recognizes those design standards.

MOTION: Hudkins moved and Stevens seconded approval of an interlocal agreement between Lancaster County and the City of Lincoln for the adoption of right-of-way and construction standards for unimproved county roads located with the three-mile zoning jurisdiction of the City of Lincoln classified as rural principal arterial, rural minor arterial, rural major collector and rural minor collector in the Lincoln-Lancaster County Comprehensive Plan. Workman, Hudkins, Stevens and Heier voted aye. Motion carried.

3) NEW BUSINESS CONTINUED:

J. **Amendment No. 1 to the Network Provider contract with the Regional Behavioral Health Authority (Region V), under County Contract No. C-05-0604, for the provision of certain mental health, alcoholism, substance abuse and related behavioral mental health services at the Community Mental Health Center. The amendment decreases the amount that the County will be reimbursed from \$4,639,362 to \$4,578,773. (C-06-0061)**

MOTION: Hudkins moved and Heier seconded approval of Amendment No. 1 to the Network Provider contract with the Regional Behavioral Health Authority (Region V), under County Contract No. C-05-0604, for the provision of certain mental health, alcoholism, substance abuse and related behavioral mental health services at the Community Mental Health Center. Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

K. **Keno Human Services Prevention Fund Grant recommendations to award grants to the following agencies from the Keno Prevention Fund: Bright Lights, Inc., in the amount of \$805; Heartland Big Brothers/Big Sisters, in the amount of \$3,750; Kiwanis Club of Lincoln, in the amount of \$1,875; YWCA of Lincoln, in the amount of \$1,875; Human Services Federation (MTI Leadership Team), in the amount of \$7,500; Indian Center, Inc., in the amount of \$6,000; Lancaster County Medical Society, in the amount of \$5,670; Lincoln Literacy Council, in the amount of \$7,500 and Lincoln Medical Education Partnership, in the amount of \$7,500.**

MOTION: Stevens moved and Hudkins seconded approval to award grants from the Keno Prevention Fund, in the total amount of \$42,475, as recommended. Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

L. **Request from Kit Boesch, Human Services Administrator, for a one-time award, in the amount of \$792.80, for Corey Steel due to exceptional circumstances.**

MOTION: Hudkins moved and Heier seconded approval of a request from Kit Boesch, Human Services Administrator, for a one-time award, in the amount of \$792.80, for Corey Steel due to exceptional circumstances. Hudkins and Heier voted aye. Stevens and Workman voted no. Motion failed.

3) **NEW BUSINESS CONTINUED:**

M. Request from Mary Stoughton Wenzl for attorney's fees, in the amount of \$214.75, for recovery of Social Security disability benefits for Kimberly D. Nash and for recovery of such benefits for Melissa Marie Simmons, in the amount of \$187.62, pursuant to County Resolution No. 4630.

MOTION: Stevens moved and Heier seconded approval of a request from Mary Stoughton Wenzl for attorney's fees, in the amount of \$214.75, for recovery of Social Security disability benefits for Kimberly D. Nash and for recovery of such benefits for Melissa Marie Simmons, in the amount of \$187.62, pursuant to County Resolution No. 4630. Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

N. A political subdivision tort claim filed against Lancaster County by Cynthia Mahlin, in an unspecified amount, for property damages allegedly caused by the negligence in design and construction and/or maintenance of the following County roads: West Arabian Road, Equestrian Drive and West Stirrup Drive.

MOTION: Heier moved and Hudkins seconded denial of a political subdivision tort claim filed against Lancaster County by Cynthia Mahlin, in an unspecified amount, for property damages allegedly caused by the negligence in design and construction and/or maintenance of the following County roads: West Arabian Road, Equestrian Drive and West Stirrup Drive. Workman, Hudkins, Heier and Stevens voted aye. Motion carried.

O. A political subdivision tort claim filed against Lancaster County by Richard Wagner, Mike Behringer and Kyle Mahlin for personal injury and property damages allegedly caused by the negligence in design and construction and/or maintenance of a County road, in an unspecified amount.

MOTION: Hudkins moved and Stevens seconded denial of a political subdivision tort claim filed against Lancaster County by Richard Wagner, Mike Behringer and Kyle Mahlin for personal injury and property damages allegedly caused by the negligence in design and construction and/or maintenance of a County road, in an unspecified amount. Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

3) **NEW BUSINESS CONTINUED:**

P. A political subdivision tort claim filed against the Lancaster County Corrections Department by Jerome Davis for alleged assault and battery, in the amount of \$100,000.

MOTION: Heier moved and Stevens seconded denial of a political subdivision tort claim filed against the Lancaster County Corrections Department by Jerome Davis for alleged assault and battery, in the amount of \$100,000. Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

Q. Appointment of Reverend Jeffrey Bloom to the Lancaster Manor Advisory Committee.

MOTION: Hudkins moved and Heier seconded approval of the appointment of Reverend Jeffrey Bloom to the Lancaster Manor Advisory Committee. Workman, Hudkins, Heier and Stevens voted aye. Motion carried.

4) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. **Weed Control Authority's Monthly Report for January, 2006.**
2. **Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for January, 2006.**

B. Requests from the following individuals to voluntarily participate in the Lancaster County Retirement Plan having met the requirements:

- ▶ **Naza Cerimagic (Lancaster Manor)**
- ▶ **Cristina Sassman (Lancaster Manor)**
- ▶ **Amira Sulejmanovic (Lancaster Manor)**
- ▶ **Mamie T. Wolde (Lancaster Manor)**

4) CONSENT ITEMS CONTINUED:

C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:

- ▶ Owen L. Goodenkauf, in the total amount of \$2,479.66, on West "A" Street from Southwest 84th Street to the Burlington Northern Sante Fe Railroad; Project C55-M-405(1). (2 contracts) (C-06-0056 and C-06-0057)
- ▶ Garnett Nalley, in the total amount of \$1,529, on West "A" Street from Southwest 84th Street to the Burlington Northern Sante Fe Railroad; Project C55-M-405(1). (2 contracts) (C-06-0058 and C-06-0059)

MOTION: Stevens moved and Heier seconded approval of the Consent Items. Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

5) ADJOURNMENT:

MOTION: Heier moved and Stevens seconded adjournment of the Board of Commissioners meeting at 2 p.m.. Workman, Stevens, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, FEBRUARY 21, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Commissioners Absent: Deb Schorr, Chair

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization was called to order at 2 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, February 14, 2006.**

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Equalization meeting held on February 14, 2006. Hudkins, Stevens and Workman voted aye. Heier abstained from voting. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 300 additions and deductions to the tax assessment rolls per Attachment "A".

MOTION: Stevens moved and Hudkins seconded approval of the additions and deductions to the tax assessment rolls. Workman, Hudkins, Heier and Stevens voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Bethlehem Covenant Church
CenterPointe, Inc.
Christ's Place
Gates of Praise
Indian Center, Inc.
Temple Baptist Church
Villa Marie School**

MOTION: Heier moved and Stevens seconded approval of the motor vehicle tax exemptions. Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Equalization meeting at 2:01 p.m.. Workman, Stevens, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk